

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Rose Gordon)	
)	Case No. 19-70636-JAD
)	
)	Chapter 13
Debtor(s).)	
	X	Related to Docs. #61 and 64

ORDER OF COURT
(Check Boxes That Apply)

<input checked="" type="checkbox"/> Confirming Plan on Final Basis	<input type="checkbox"/> Chapter 13 Plan dated: _____
<input type="checkbox"/> Authorizing Distributions Under Plan On Interim Basis Solely as Adequate Protection	<input checked="" type="checkbox"/> Amended Chapter 13 dated: September 20, 2021

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
-
- ☒ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
*NW Savings Bank claim #2

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:
*Credit Acceptance Co. to be paid \$298.95 per month beginning 9/21 as long term continuing debt

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 10/29/2021


United States Bankruptcy Judge
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

In re:
Rose Gordon
Debtor

Case No. 19-70636-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: lfin

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Date Rcvd: Oct 29, 2021

Form ID: pdf900

Total Noticed: 40

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2021:

Recip ID	Recipient Name and Address
db	+ Rose Gordon, PO Box 195, Hyndman, PA 15545-0195
15137541	+ Ashford University, 8620 Spectrum Center Blvd, San Diego, CA 92123-1427
15151767	+ Capital One, c/o Becket & Lee, 16 General Warren Blvd., Malvern, PA 19355-1245
15166068	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15137546	+ Denver E. Wharton, Esquire, Kaminsky, Thomas, Wharton & Lovette, 360 Stonecreek Street, Johnstown, PA 15901-1925
15168770	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
15151773	+ FASTEST PAYDAY LOAN ONLINE.COM, WILLIAMSON AND BROWN,LLC, 4691 CLIFTON PKWY, Hamburg, NY 14075-3201
15137547	+ First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
15151778	+ KML Law Group, PC, James C. Warmbrodt, Esq, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
15137550	+ Kimberly A. Bonner, Esq., Zucker, Goldberg, & Ackerman, LLC, 200 Sheffield Street, Suite 101, Mountainside, NJ 07092-2315
15137554	++ NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337 address filed with court:, Northwest Savings Bank, 100 Liberty St, Warren, PA 16365
15153217	+ U.S. Department of HUD, 100 Penn Square East, 11th Floor, Philadelphia, PA 19107-3325
15137556	+ Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860
15137558	++ WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203 address filed with court:, Wells Fargo Home Mortgage, 8480 Stagecoach Cir, Frederick, MD 21701

TOTAL: 14

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Oct 29 2021 23:32:52	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: rmscedi@recoverycorp.com	Oct 29 2021 23:32:45	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15156297	Email/Text: bnc@atlasacq.com	Oct 29 2021 23:24:00	Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601
15151765	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Oct 29 2021 23:32:53	American Info Source Lp, Post Office Box 248848, Oklahoma City, OK 73124-8848
15137545	+ Email/Text: bankruptcy@consumerportfolio.com	Oct 29 2021 23:24:00	CPS, PO Box 57071, Irvine, CA 92619-7071
15137542	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Oct 29 2021 23:32:46	Capital One Auto Finan, 3901 Dallas Pkwy, Plano, TX 75093-7864
15162603	+ Email/PDF: acg.acg.ebn@aisinfo.com	Oct 29 2021 23:32:45	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15137543	+ Email/Text: bankruptcy@consumerportfolio.com	Oct 29 2021 23:24:00	Consumer Portfolio Services, PO BOX 57071, Irvine, CA 92619-7071
15137544	+ Email/Text: bankruptcy@consumerportfolio.com	Oct 29 2021 23:24:00	Consumer Portfolio Svc, Po Box 57071, Irvine, CA 92619-7071
15168770	Email/Text: ECMCBKNotices@ecmc.org	Oct 29 2021 23:24:00	ECMC, PO BOX 16408, ST. PAUL, MN

District/off: 0315-7

User: lfin

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Date Rcvd: Oct 29, 2021

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15137548	Email/Text: bankruptcynotification@ftr.com	Oct 29 2021 23:24:00	55116-0408 Frontier Communication, 19 John St, Middletown, NY 10940
15137549	Email/Text: spolca@hometownbankpa.com	Oct 29 2021 23:24:00	Hometown Bank Of Pennsylvania, 638 E Pitt St, Bedford, PA 15522
15151777	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 29 2021 23:24:00	Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302
15171017	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 29 2021 23:24:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15137551	+ Email/Text: PBNCNotifications@perituservices.com	Oct 29 2021 23:24:00	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
15171265	Email/PDF: resurgentbknotifications@resurgent.com	Oct 29 2021 23:32:59	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15137552	Email/Text: camanagement@mtb.com	Oct 29 2021 23:24:00	M & T Bank, PO Box 1288, Buffalo, NY 14240
15159598	Email/Text: camanagement@mtb.com	Oct 29 2021 23:24:00	M&T Bank, PO Box 840, Buffalo, NY 14240
15137553	+ Email/PDF: pa_dc_claims@navient.com	Oct 29 2021 23:32:45	Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15137555	+ Email/Text: bankruptcy@firstenergycorp.com	Oct 29 2021 23:24:00	Penn Power, PO Box 3687, Akron, OH 44309-3687
15168867	+ Email/Text: JCAP_BNC_Notices@jcap.com	Oct 29 2021 23:24:00	Premier Bankcard, Llc, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
15166702	Email/Text: bnc-quantum@quantum3group.com	Oct 29 2021 23:24:00	Quantum3 Group LLC as agent for, Crown Asset Management LLC, PO Box 788, Kirkland, WA 98083-0788
15166701	Email/Text: bnc-quantum@quantum3group.com	Oct 29 2021 23:24:00	Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788
15138369	+ Email/PDF: gecsed@recoverycorp.com	Oct 29 2021 23:32:57	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15137557	+ Email/Text: bnc-bluestem@quantum3group.com	Oct 29 2021 23:24:00	Webbank/fingerhut, 6250 Ridgewood Rd, Saint Cloud, MN 56303-0820
15151786	Email/Text: bankruptcy@firstenergycorp.com	Oct 29 2021 23:24:00	West Penn Power, P.O. Box 3687, Akron, OH 44309-3687
15141126	+ Email/Text: bankruptcy@firstenergycorp.com	Oct 29 2021 23:24:00	West Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 27

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		M&T Bank
cr	*P++	ATLAS ACQUISITIONS LCC, 492C CEDAR LANE SUITE 442, TEANECK NJ 07666-1713, address filed with court., Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601
15151766	*+	Ashford University, 8620 Spectrum Center Blvd, San Diego, CA 92123-1427
15151771	*+	CPS, PO Box 57071, Irvine, CA 92619-7071
15151768	*+	Capital One Auto Finan, 3901 Dallas Pkwy, Plano, TX 75093-7864
15151769	*+	Consumer Portfolio Services, PO BOX 57071, Irvine, CA 92619-7071
15151770	*+	Consumer Portfolio Svc, Po Box 57071, Irvine, CA 92619-7071
15151772	*+	Denver E. Wharton, Esquire, Kaminsky, Thomas, Wharton & Lovette, 360 Stonecreek Street, Johnstown, PA 15901-1925
15151775	*P++	FRONTIER COMMUNICATIONS, BANKRUPTCY DEPT, 19 JOHN STREET, MIDDLETOWN NY 10940-4918, address filed with court., Frontier Communication, 19 John St, Middletown, NY 10940

District/off: 0315-7

User: lfin

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Form ID: pdf900

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15151774	*+	First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
15151776	*P++	HOMETOWN BANK OF PENNSYLVANIA, 638 E PITT STREET, BEDFORD PA 15522-9724, address filed with court:, Hometown Bank Of Pennsylvania, 638 E Pitt St, Bedford, PA 15522
15151779	*+	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
15151780	*P++	M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307, address filed with court:, M & T Bank, PO Box 1288, Buffalo, NY 14240
15151782	*P++	NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337, address filed with court:, Northwest Savings Bank, 100 Liberty St, Warren, PA 16365
15151781	*+	Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15151783	*+	Us Dept Of Ed/glelsi, Po Box 7860, Madison, WI 53707-7860
15151785	*P++	WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203, address filed with court:, Wells Fargo Home Mortgage, 8480 Stagecoach Cir, Frederick, MD 21701
15151784	*+	Webbank/fingerhut, 6250 Ridgewood Rd, Saint Cloud, MN 56303-0820

TOTAL: 1 Undeliverable, 17 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 31, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor M&T Bank bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor Rose Gordon ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 4